

**REMARKS**

Applicants appreciate the Examiner's thorough consideration provided the present application. Claims 1, 2, 4-10 and 12-18 are now present in the application. The title and claims 1, 4-9 and 12-16 have been amended. Claims 17 and 18 have been added. Claims 3 and 11 have been cancelled. Claims 1 and 9 are independent. Reconsideration of this application, as amended, is respectfully requested.

**Specification Objections**

The title has been objected to due to its non-descriptiveness. In view of the foregoing amendments, it is respectfully submitted that this objection has been addressed. Reconsideration and withdrawal of this objection is respectfully requested.

**Claim Rejections Under 35 U.S.C. §112**

Claims 2-8 and 12-16 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. This rejection is respectfully traversed.

In view of the foregoing amendments, it is respectfully submitted that this rejection has been addressed. Accordingly, all pending claims are now definite and clear. Reconsideration and withdrawal of the rejection under 35 U.S.C. § 112, second paragraph, are therefore respectfully requested.

**Claim Rejections Under 35 U.S.C. §§ 102 & 103**

Claims 1, 2, 9 and 10 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Ratnakumar, U.S. Patent No. 6,556,487. Claims 3-8 and 11-16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ratnakumar in view of Nojima, U.S. Patent No. 6,222,765. These rejections are respectfully traversed.

In light of the foregoing amendments to the claims, Applicants respectfully submit that these rejections have been obviated and/or rendered moot. As the Examiner will note, independent claims 1 and 9 have been amended to address the Examiner's rejections.

Independent claim 1 has been amended to recite a combination of elements including "the sources of the split-gate transistors being connected and having a same voltage level". Independent claim 9 has been amended to recite a combination of elements including "the sources of the seventh and eighth transistors being connected and having a same voltage level". Support for the above combinations of elements can be found in FIG. 1 of the instant application. Applicants respectfully submit that the above combinations of elements as set forth in amended independent claims 1 and 9 are not disclosed nor suggested by the references relied on by the Examiner.

Ratnakumar in FIG. 8 discloses a non-volatile static memory cell including a non-volatile memory (NVM) 320. As showing in FIG. 8, the NVM 320 includes two transistors FG1 and FG2. The sources of the transistors FG1 and FG2 are connected to the bit line voltage VBL and the complementary bit line voltage VBLB, respectively. Since the sources of the transistors FG1 and FG2 are not connected, and the bit line voltage VBL and the complementary bit line voltage VBLB are different voltage levels, Ratnakumar fails to teach "the sources of the split-gate

transistors being connected and having a same voltage level” as recited in claim 1 and “the sources of the seventh and eight transistors being connected and having a same voltage level” as recited in claim 9.

With regard to the Examiner’s reliance on Nojima, this reference has only been relied on for its teachings related to the subject matter of dependent claims. This reference also fails to disclose the above combinations of elements as set forth in amended independent claims 1 and 9. Accordingly, Nojima fails to cure the deficiencies of Ratnakumar.

Accordingly, neither of the references utilized by the Examiner individually or in combination teaches or suggests the limitations of amended independent claims 1 and 9 or their dependent claims. Therefore, Applicants respectfully submit that claims 1 and 9 and their dependent claims clearly define over the teachings of the references relied on by the Examiner.

Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. §§ 102 and 103 are respectfully requested.

#### **Additional Claims**

Additional claims 17 and 18 have been added for the Examiner’s consideration. Applicants respectfully submit that claims 17 and 18 are allowable due to their respective dependence on independent claims 1 and 9, as well as due to the additional recitations included in these claims. Favorable consideration and allowance of additional claims 17 and 18 are respectfully requested.

**CONCLUSION**

Since the remaining patents cited by the Examiner have not been utilized to reject the claims, but merely to show the state of the prior art, no further comments are necessary with respect thereto.

It is believed that a full and complete response has been made to the Office Action, and that as such, the Examiner is respectfully requested to send the application to Issue.

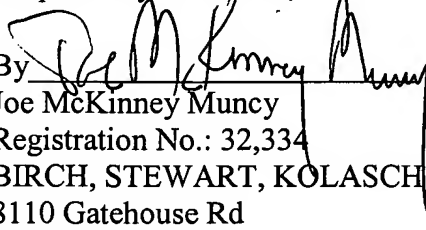
In the event there are any matters remaining in this application, the Examiner is invited to contact Joe McKinney Muncy, Registration No. 32,334 at (703) 205-8000 in the Washington, D.C. area.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicants respectfully petition for a one (1) month extension of time for filing a response in connection with the present application and the required fee of \$120.00 is attached herewith.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

By   
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